



1634

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Application Number **09/780,113**

Filing Date **February 9, 2001**

First Named Inventor **John V. TYRRELL, et al.**

Group Art Unit **1634**

Examiner Name **C. J. Myers**

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Total Number Of Pages In This Submission

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Attorney Docket No. **506812000120**

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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> RESPONSE TO RESTRICTION REQUIREMENT MAILED 9/9/02, PAPER 14 - 2 pgs	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	MORRISON & FOERSTER LLP 425 Market Street, San Francisco, CA 94105-2842 MICHAEL R. WARD (Reg No. 38,651)
Signature	
Date	October 8, 2002

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PATENT
Docket No. 506812000120

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In the application of:

Examiner: C. J. Myers

John V. TYRRELL et al.

Group Art Unit: 1634

Serial No.: 09/780,113

Filing Date: February 9, 2001

For: COMPOSITIONS AND METHODS FOR
DETECTING RAPHIDOPHYTES

TECH CENTER 1600/29

RESPONSE TO RESTRICTION REQUIREMENT

MAILED SEPTEMBER 9, 2002, PAPER 14

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action with restriction requirement dated September 9, 2002, for which a response is due on October 9, 2002. This response is therefore timely.

Applicant hereby elects **Group 13 (claims 13, 16, 26, 27, 28, 32-34, 36, 39 and 40)**, with traverse. Applicant asserts that it would not be an undue burden to search all of the pending claims in this application. Applicant expressly reserves his/her right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application.

Applicant requests examination of the elected subject matter on the merits.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **506812000120**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: October 8, 2002

By: Michael R. Ward
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Registration No. (38,651)

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